

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated October 17, 2007. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-24 are pending in the Application. Claims 1, 7, 13 and 19 are independent claims.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

In the Office Action, claims 1-24 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,885,871 to Caloud ("Caloud"). This rejection is respectfully traversed. It is respectfully submitted that claims 1-24 are allowable over Caloud for at least the following reasons.

Caloud is a method for transferring a message from a terminal, such as a personal computer 101 (see, FIG. 1) having a public IP address (see, Col. 4, lines 37-41) through a communications gateway 128, wherein the message is redirected to a terminal, such as a cell phone 108.

In operation and as shown in FIG. 2, the personal computer 101 sends a request during a call connection initiation step 201 to a resolution server 119 (see, Col. 7, lines 22-25). The resolution server determines whether the cell phone 108 wishes to accept communications from the personal computer 101 during steps 204-206 (see, Col. 7, lines 26-61). In a case wherein the cell phone 108 accepts to receive communications from the personal computer 101 during step 206, thereafter during step 210, the cell phone 108 sends the communications gateway 128 a request to set up a communication means between the cell phone 108 and the communications gateway 128 and between the communications gateway 128 and the personal computer 101. It must be pointed out, this is not a direct connection between the personal computer 101 and the cell phone 108 but in fact, is a connection through an intermediary in the form of the internet gateway 128.

As made clear by Caloud, after the personal computer 101 receives communication parameters from the communications gateway 128 (see, Col. 9, lines 52-54), the personal computer 101 is then ready to send a frame to the internet gateway 128 (see, Col. 9, lines 60-62) which is thereafter forwarded to the cell phone 108 (see, Col. 9, line 66 through Col. 10, line 2). As made explicitly

clear by Caloud, while the cell phone 108 does receive a frame originally sent by the personal computer 101 (see, Col. 10, lines 3-4), "[t]his frame was first received by the gateway 128 and then sent out again by the same gateway [to the cell phone 108] ...". (See, Col. 10, lines 2-9.) Similarly, "the gateway 128 sends out a frame, originally sent by the terminal 108 [cell phone], to the set 101 [personal computer]" (See, Col. 10, lines 19-20.)

It is respectfully submitted that Caloud is simply a variation on the prior systems discussed in the present patent application. In fact, FIGs. 1-3 of the present application are all illustrations of prior art systems for transferring multimedia messages between agents. For example, FIG. 2 shows a system that is similar in operation to Caloud in that a MMS relay server 20 operates similar to the internet gateway 128 of Caloud in forwarding messages between the MMS user agent A and the MMS user agent C.

As further recognized by the Applicants, (emphasis added) "[t]he conventional ways of delivering MMs between different user agents in the same or different MMSEs, as illustrated above, suffer from serious drawbacks. A main drawback is that it wastes valuable network resources, particularly with respect to MMS relay/servers since the MMS relay/servers [like the internet gateway 128] are

required to process and forward voluminous MMs exchanged among numerous MMS user agents. In other words, all the MMs sent to or pushed from a MMS user agent must go through at least one MMS relay/server. For example, the MMS relay/server will have to receive a MM from a MMS user agent and then forward the same message to another MMS user agent, even if the two MMS user agents are located in the same MMSE. Thus, at least two transactions are required, i.e., delivering a MM by a MMS user agent to a MMS relay/server and then forwarding the same MMS by a MMS relay/server to another MMS user agent. If the two MMS user agents are located in two different MMSEs, an additional transaction is required to transfer the MM from one MMS relay/server and another MMS relay/server. This will inevitably cause significant delays in delivering the MMs. Further, it requires high performance servers with a very large storage capacity since MMs are typically very large in size. This will add considerable costs for the MMS service provider to deploy and maintain the network." The Applicants recognized that "there is a need to provide a wireless network system for efficiently delivering MMs that not only saves the valuable network resources, but also speeds up delivery of the MMs between two MMS user agents."

While Col. 3, lines 46-51 of Caloud are cited for showing a direct connection between the personal computer and the cell phone, reliance on this section of Caloud is misplaced in that Caloud makes clear that all messages between the cell phone and the personal computer are received and forwarded by the internet gateway 128. In fact, Caloud teaches away from a direct communication between the personal computer and the cell phone such that "[t]he gateway 128 is thus in a position to filter messages addressed to the terminal 108 and thus avoid undesirable messages." (See, Col. 8, lines 61-63.)

Accordingly, it is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Caloud. For example, Caloud does not disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis provided) "wireless network system that enables direct wireless delivery of a multimedia message from a first multimedia messaging service (MMS) user agent to a second MMS user agent, the system comprising: means for receiving, from the first MMS user agent, a request to send a multimedia message to the second MMS user agent, the request including an identification (ID) number of the second MMS user agent; means for obtaining an Internet address

of the second MMS user agent based on the ID number of the second MMS user agent, if the ID number is not an Internet address of the second MMS user agent; and means for forwarding the obtained Internet address to the first MMS user agent to enable the first MMS user agent to wirelessly deliver the multimedia message directly to the second MMS user agent using the obtained Internet address" as required by claim 1, and as substantially required by each of claims 7, 13 and 19. In fact Caloud teaches using an intermediary internet gateway for forwarding all communications between the user agents (terminal 101 and terminal 108 via the internet gateway 128 in terms of the example provided by Caloud).

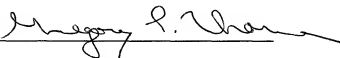
Based on the foregoing, the Applicants respectfully submit that independent Claims 1, 7, 13 and 19 are patentable over Caloud and notice to this effect is earnestly solicited. Claims 2-6, 8-12, 14-18 and 20-24 respectively depend from one of claims 1, 7, 13 and 19 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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January 8, 2008

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